

**BRENT McCAULLEY, CHAIR**  
Councilperson at Large B

**CHUCK ENGELKEN**  
Councilperson District 2

**BILL BENTLEY**  
Councilperson District 3



## **COMMUNITY FENCING PROJECT AD HOC COMMITTEE MEETING AGENDA**

Notice is hereby given of a meeting of the La Porte Community Fencing Project Ad Hoc Committee to be held December 12, 2022, beginning at 5:30 p.m., in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

Remote participation is available. Attend via a screen using the link

<https://us02web.zoom.us/j/87912547538?pwd=Z21WemlJUWtNaWhXdmpnTkFXTUNWZz09>.

Join by phone at 877-853-5257 or 888-475-4499. The meeting ID is 879 1254 7538 and the password is 681776.

1. **CALL TO ORDER**
2. **CITIZEN COMMENT** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
3. **STATUTORY AGENDA** The purpose of this meeting is to discuss and formulate City Council and staff plans, operations, policies, and/or future projects, including the following:
  - (a) Presentation, discussion, and possible action to approve the minutes of the June 27, 2022, Committee meeting.
  - (b) Presentation, discussion, and possible action to reopen the application period for neighborhood fence grants. [Matt Daeumer, Assistant City Manager]
4. **COMMITTEE COMMENT** - *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy, for which no formal action will be discussed or taken.*
5. **ADJOURN**

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

**CERTIFICATE**

I, Lee Woodward, City Secretary, do hereby certify that a copy of the December 12, 2022, La Porte Community Fencing Project Ad Hoc Committee Meeting agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.LaPorteTX.gov](http://www.LaPorteTX.gov), in compliance with Chapter 551, Texas Government Code.

DATE \_\_\_\_\_

TIME \_\_\_\_\_

TAKEN DOWN \_\_\_\_\_

*Lee Woodward*  
\_\_\_\_\_  
Lee Woodward, City Secretary

**BRENT McCaulley, CHAIR**  
COUNCILPERSON AT LARGE B

**CHUCK ENGELKEN**  
COUNCILPERSON District 2

**BILL BENTLEY**  
COUNCILPERSON District 5



**MINUTES OF THE LA PORTE COMMUNITY FENCING  
AD HOC COMMITTEE MEETING  
JUNE 27, 2022**

The La Porte Community Fencing Ad Hoc Committee of the City of La Porte met on Monday, June 27, 2022, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 4:30 p.m. to consider the following items of business:

**Committee Members present:** Brent McCaulley, Chuck Engelken, Bill Bentley

**Committee Members attending remotely:** None

**Committee Members absent:** None

**Council-appointed officers present:** Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark T. Askins, Assistant City Attorney

**CALL TO ORDER** – Chair McCaulley called the meeting to order at 4:31 p.m.

**2. CITIZEN COMMENT** *(Generally limited to five minutes per person, in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*

There were no citizen comments.

**3. STATUTORY AGENDA** The purpose of this meeting is to discuss and formulate City Council and staff plans, operations, policies, and/or future projects, including the following:

**a. Presentation, discussion, and possible action to approve the minutes of the La Porte Community Fencing Project Ad Hoc Committee meeting held on February 28, 2022. [Brent McCaulley, Chair]**

Member Engelken moved to approve minutes of the La Porte Community Fencing Project Ad Hoc Committee meeting held on February 28, 2022; the motion was seconded by Member Bentley; the motion was adopted, 3-0.

**b. Presentation, discussion, and possible action on proposed amendments to the La Porte Community Fencing Policy and Procedures. [Matt Daeumer, Asst. City Manager]**

Mr. Daeumer noted applications had been sent out but there had not yet been a meeting to discuss reallocation of the points. Member Bentley moved to allocate the points evenly among the other sections of the application; Member Engelken seconded the motion; the motion was adopted, 3-0.

**c. Presentation, discussion, and possible action on review of applications for funding of neighborhood fences and associated recommendations to the La Porte City Council. [Matt Daeumer, Asst. City Manager]**

The Committee permitted Jacob Hatcher, representing The Lakes at Fairmont Greens, and Bob Wagstaff of Summer Winds HOA both confirmed they could supplement the necessary amounts if the available funding were split between the two applicants. Member Engelken moved to recommend to the City Council that both the applications be approved for funding, even though it would exceed the budgeted amount, and that the available funds be evenly split between the two applicants if no additional funds were provided; Member Bentley seconded the motion; the motion was adopted, 3-0.

4. **COMMITTEE COMMENT** – *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilpersons, and City staff, for which no formal action will be discussed or taken.*

Member Engelken suggested reviewing the amount for the coming year and considering providing \$300,000-350,000.

**ADJOURN** – The meeting was adjourned without objection at 4:44 p.m.

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Lee Woodward, City Secretary



## REQUEST FOR FENCING COMMITTEE AGENDA ITEM

Agenda Date Requested: <u>December 12, 2022</u>
Requested By: <u>Matt Daeumer, Asst City Manager</u>
Department: <u>Administration/CMO</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>Capital Improvement</u>
Account Number:	<u>015-8080-5521100</u>
Amount Budgeted:	<u>\$300,000.00</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Policy

### SUMMARY & RECOMMENDATION

At the September 13, 2021, City Council meeting, Council established a Committee to review applications for neighborhoods looking to enhance or add fencing around their respective neighborhoods. During the first year, Council approved three (3) agreements, but to this date no funds have been distributed.

The application period opens from October 1 to November 1 of each year. Staff prepared applications and made them available on the City's website. As of November 10, 2022, Staff has only received one application for fiscal year 2023.

Staff recommends that the application period be opened for another period of time after January 1, 2023, and staff will reach out to HOA's again.

### ACTION REQUIRED BY CITY COUNCIL

**Presentation, discussion, and possible action to reopen the application period for neighborhood fence grants.**

Approved for the City Council meeting agenda

\_\_\_\_\_  
Corby D. Alexander, City Manager

\_\_\_\_\_  
Date

# City of La Porte Community Fencing Policy & Procedures

## **Oversight:**

City Council will establish a committee comprised of three (3) councilmembers and City staff (City Manager or designee, Public Works Director or designee, and Parks and Recreation Director or designee).

## **Application Period:**

The City of La Porte will open a period of 30-days to receive applications from the community. Application period will occur October 1 and end on November 1 of each year that funding is made available.

## **Community Fencing Projects:**

The community fence project should benefit the entire neighborhood. Each project will be evaluated by an oversight committee. Any funding awarded to the applicant for the community fence project will be based on an evaluation point system, with greater points being awarded for projects that demonstrate need and cost share capabilities. The City has allocated limited funding for the community fence projects; therefore, those applicants with that demonstrate a greater need due conditions of their current fencing along with cost sharing capabilities will receive higher favoritism. Additionally, applicants that have failed to adequately maintain their community fencing will receive less points.

## **Applicant Responsibility:**

- Applicant shall provide City with initial scope and idea for community fence project.
- Applicants should be prepared to cost share in the community fence project.
- Applicants will be required to receive three (3) quotes for the proposed work.
- Applicants may apply for funding in subsequent years regardless of prior applications. However, the applicant must be noted as adequately maintaining all previous City funded fence projects.
- Applicants should be prepared to assume on-going maintenance responsibilities for the community fence improvements.
- If the applicant is within a HOA or group, the applicant must provide proof of signatory authority for the association or group. Typically, this is satisfied with a copy of the articles of incorporation filed with the State for official HOAs. Additionally, the City will need a letter from the HOA president confirming Board approval of the application of the community fencing project.
- If the applicant is not within a HOA or group, the applicant must provide written documents from all the homeowners affected by the community fencing project that they consent to the project and understand their respective responsibilities.

## **City Responsibilities:**

- The City will assist the applicants developing scope for projects.
- City will prepare projects for presentation to the committee and City Council.
- Projects may not proceed forward until a Memorandum of Agreement is approved by the City Council and fully executed by both parties. Should the

applicant not be within a HOA or group association, the Memorandum of Agreement will include all affected property owners of the community fence project.

- The City will reimburse applicant based on the award amount upon proof that all bills related to the project have been paid.

### **Evaluation Point System:**

- Oversight committee will evaluate the applications based on the following evaluation point system and provide results to be presented to the full City Council for action.
- Each project will be evaluated based on a 100 point scale.
- Each project will be evaluated on the following criteria:
  - Need Based (25 points max)
    - What is the current state of the community fencing?
    - Are there any safety concerns that would be addressed by the project?
    - Other need based concerns as identified by the oversight committee.
  - Ability to Maintain the project (25 points max)
    - What are the available resources of the applicant?
    - If project is a replacement, has the current fencing been maintained properly?
    - Does the applicant have an active board to manage ongoing maintenance?
  - Cost Benefit Analysis (25 points max)
    - Total cost of the project divided by number of homes represented by the applicant.
    - Committee will need to determine point allocation based comparing applications.
  - Prior Year Funding (15 points max)
    - Maximum points to be given to applicants that have not received an award with last 5 years.
    - Suggestion: 2 point deduction for each prior year of funding.
  - Other (10 points max)
    - This category will be awarded points based on factors not previous identified but deemed important by the oversight committee.
    - Examples: fencing design, material to used, location in the community, etc.

### **Application Process:**

- Determine Eligibility: Discuss the project plans with the City Manager, Assistant City Manager or Public Works Director.
- Complete the application and sign the agreement form. If the applicant is not a homeowners association or group, then each of the property owners requesting the community fence project would be required to sign the application.

- A drawing (by an architect, design professional, or applicants) that adequately depicts the scope of the work to be completed.
- A survey of area to be repaired along with location of utilities.
- Photos of current fencing as well as photos that depicts the primary reason for the fencing.
- Description of current fence materials and what materials would be funded for this project.
- Maintenance summary and records of current fencing.
- Insurance claims and damage assessments (to include summary of how fence was damaged and timelines).
- Three (3) itemized work estimates on the fence project from contractors, or if the applicant will be installing, the cost of materials and any other out-of-pocket expenses.